

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BRIAN GORDON,
Plaintiff,

v.

D.O.C STATE OF
PENNSYLVANIA, *et al.*,
Defendants.

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CIVIL ACTION NO. 1:17-CV-2175

Judge Sylvia H. Rambo

ORDER

Before the Court for disposition is Magistrate Judge Martin C. Carlson's Report and Recommendation (ECF No. 24), which recommends granting the Motion to Dismiss for failure to prosecute (ECF No. 19) filed by the remaining Defendant, Mr. Woodhouse. Objections to the Report and Recommendation were due by February 11, 2019, but no such objections have been filed.

In considering whether to adopt the Report and Recommendation, the Court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010) (explaining that judges should review dispositive legal issues raised by the report for clear error). Following an independent review of the record, the Court is satisfied that the Report and Recommendation contains no clear error, and will therefore adopt the Report and

Recommendation to grant the Motion to Dismiss filed by Mr. Woodhouse.

Accordingly, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation (ECF No. 24) is **ADOPTED**.
2. The Motion to Dismiss for failure to prosecute (ECF No. 19) is **GRANTED**, and the Complaint is **DISMISSED**.
3. The Clerk of Court shall **CLOSE** this case.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: March 26, 2019